



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/806,199  | 03/23/2004  | Andrew Hunter Tomat  | 03630.000150.1      | 2000             |
| 5514 7590 04/09/2008<br>FITZPATRICK CELLA HARPER & SCINTO<br>30 ROCKEFELLER PLAZA<br>NEW YORK, NY 10112 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| CUTLER, ALBERT H  |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 2622  |             |                      |                     |                  |
| MAIL DATE   |             | DELIVERY MODE        |                     |                  |
| 04/09/2008  |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/806,199

**Applicant(s)**

TOMAT ET AL.

**Examiner**

ALBERT H. CUTLER

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-14, 26-33, 38-40, 42-46, 48-51 and 53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-14, 26-33, 38-40, 42-46, 48-51 and 53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This office action is responsive to communication filed on January 9, 2008. Claims 11-14, 26-33, 38-40, 42-46, 48-51 and 53 are pending in the application. Claims 34-37, 41, 47 and 52 have been cancelled by Applicant.

### ***Response to Arguments***

2. Applicant's arguments filed January 9, 2008 have been fully considered but they are not persuasive.
3. With respect to claims 11 to 33, 49 to 51 and 53, Applicant argues that the present invention is directed toward a camera connect to a computer, and specifically that the display is not a display on a camera as taught by Kawamura et al., but rather a separate display.
4. The Examiner respectfully disagrees. The Examiner has found nothing in claims 49-51 or 53 that indicates that the display must be separate from the camera. With regards to claims 11 to 33, Kawamura teaches of an external computer with a display(see 17, figure 2). Although Kawamura et al. may not teach that the display of figure 2 is used as the camera display, as more clearly defined in the amended claims, the feature is taught by Bullock et al.(see column 3, lines 2-10, column 4, line 34 through column 5, line 10). Bullock et al. teach that it is beneficial to use a computer display as the camera display in that that a user has the entire larger display area at their disposal, and versatility of the working environment is improved because the large area of the display allows other objects not necessarily related to the capture device

picture selection operations to be displayed as well(See Bullock et al., column 4, line 55 through column 5, line 10).

5. With respect to claims 38 to 40, 42 to 46 and 48, Applicant argues that in the present invention, the output of variously claimed icons is controlled based on detection of a connection of the device to the interface. With regards to the sections of Bullock cited by the Examiner, Applicant argues that the Office Action took a contrary view, and stated that Bullock describes the detection of a connection to a camera, and the consequent display of the image capture window 175. Citations were made to columns 5 and 8, and to Figure 19A. Applicants have reviewed the cited sections of Bullock, and believe that they do not support the position that Bullock detects connection of a digital camera to the PC, and based on such a detection, thereafter displays the image capture window. This positions is explained more fully below.

6. The Examiner respectfully disagrees. Applicant seems to be taking the position that the claims teach a computer which connects to a camera, which computer detects the physical connection of the camera to the computer, and outputs one or more icons at the moment the camera is connected to the computer. The Examiner fails to see such features in the present claims. For instance, consider claim 38. Claim 38 recites, "means for detecting a connection of the device to the interface". The Examiner interprets said "means for detecting a connection" to be the command to initiate operation of the image capture device application program. Such a command comprising double-clicking of a camera icon. See column 8, line 59 through column 9, line 5.

7. Therefore, the rejection is maintained by the Examiner.

***Claim Rejections - 35 USC § 102***

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 38-40, 42-46 and 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Bullock et al.(US 5,943,050).

Consider claim 38, Bullock et al. teach:

An apparatus(figures 1-4) comprising:

An interface for connection to a device(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60);

means for detecting a connection of the device to the interface(By starting the "Capture Device" application, a connection to a camera is detected, column 5, lines 40-45, column 8, lines 59-63, step 302, figure 19a.); and

means for controlling an output of at least one of a plurality of icons for setting the device, in case that the connection of the device to the interface is detected(See step 304, figure 19a, column 8, line 66 through column 9, line 5, figure 4, column 5, lines 40-47. A window showing the device("capture device", figure 4) is output. This window contains various operational icons including a settings icon(179, i.e. at least one of a plurality of icons) for setting the camera(column 5, lines 19-22, lines 33-36 ).).

Consider claim 39, and as applied to claim 38 above, Bullock et al. further teach the that the means for controlling further includes means for controlling an output of the plurality of icons together in a window(175, figure 4, column 5, lines 10-32).

Consider claim 40, Bullock et al. teach:

A method of image processing for an image processing apparatus which includes an interface(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60) for connection to a device(118, figure 1) and which is able to manipulate image data in the device(figure 19a), the method comprising the steps of:

detecting a connection of the device(By starting the "Capture Device" application, a connection of the camera is detected, column 5, lines 40-45, column 8, lines 59-63, step 302, figure 19a.); and

controlling an output of at least one of a plurality of icons for setting the device, in case that the connection of the device to the interface is detected(See step 304, figure 19a, column 8, line 66 through column 9, line 5, figure 4, column 5, lines 40-47. A window showing the device("capture device", figure 4) is output. This window contains various operational icons including a settings icon(179, i.e. at least one of a plurality of icons) for setting the camera(column 5, lines 19-22, lines 33-36 ).).

Consider claim 42, Bullock et al. teach:

A computer-readable memory medium("RAM", 124) storing a computer-executable program(figure 3), executable by a computer(100, figure 1) which includes

an interface(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60) for connection to a device(118, figure 1) and which is able to manipulate image data in the device(figure 19a), the computer-executable program comprising the steps of:

detecting a connection of the device(By starting the "Capture Device" application, a connection of the camera is detected, column 5, lines 40-45, column 8, lines 59-63, step 302, figure 19a.); and

controlling an output of at least one of a plurality of icons for setting the device, in case that the connection of the device to the interface is detected(See step 304, figure 19a, column 8, line 66 through column 9, line 5, figure 4, column 5, lines 40-47. A window showing the device("capture device", figure 4) is output. This window contains various operational icons including a settings icon(179, i.e. at least one of a plurality of icons) for setting the camera(column 5, lines 19-22, lines 33-36 ).).

Consider claim 43, Bullock et al. teach:

an apparatus(figure 1) comprising:

An interface for connection to a device(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60);

means for detecting a connection of the device to the interface(By starting the "Capture Device" application, a connection to a camera is detected, column 5, lines 40-45, column 8, lines 59-63, step 302, figure 19a.); and

means for controlling an output of an icon, in a predetermined area, to show the device, in case that the connection of the device to the interface is detected(See step

304, figure 19a, column 8, line 66 through column 9, line 5, figure 4, column 5, lines 40-47. A window(i.e. an icon) showing the device("capture device", figure 4) is output.).

Consider claim 44, and as applied to claim 43 above, Bullock et al. further teach:  
the means for controlling further includes means for controlling an output of a menu to control the device(175, figure 4, column 5, lines 11-59, step 306, figure 19a, column 9, lines 1-5.).

Consider claim 45, and as applied to claim 43 above, Bullock et al. further teach that the predetermined area is different from a taskbar area(see figure 4, column 5, lines 40-45).

Consider claim 46, Bullock et al. teach:

A method of image processing for an image processing apparatus which includes an (117, figure 1, 132 and 133, figure 2, column 3, lines 40-60) for connection to a device(118, figure 1) and which is able to manipulate image data in the device(figure 19a), the method comprising the steps of:

detecting a connection to the device(By starting the "Capture Device" application, a connection to a camera is detected, column 5, lines 40-45, column 8, lines 59-63, step 302, figure 19a.); and

controlling an output of an icon, in a predetermined area, to show the device, in case that the connection of the device to the interface is detected(See step 304, figure



19a, column 8, line 66 through column 9, line 5, figure 4, column 5, lines 40-47. A window(i.e. an icon) showing the device("capture device", figure 4) is output.).

Consider claim 48, Bullock et al. teach:

A computer-readable memory medium("RAM", 124) storing a computer-executable program(figure 3), executable by a computer(100, figure 1) which includes an interface(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60) for connection to a device(118, figure 1) and which is able to manipulate image data in the device(figure 19A), the computer-executable program comprising the steps of:

detecting a connection of a device(By starting the "Capture Device" application, a connection to a camera is detected, column 5, lines 40-45, column 8, lines 59-63, step 302, figure 19a.); and

controlling an output of an icon, in a predetermined area, to show the device, in case that the connection of the device to the interface is detected(See step 304, figure 19a, column 8, line 66 through column 9, line 5, figure 4, column 5, lines 40-47. A window(i.e. an icon) showing the device("capture device", figure 4) is output.).

10. Claims 49-51, and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawamura et al. (US 6,522,354).

Consider claim 49, Kawamura et al. teach:

an apparatus(figures 1-3) for image processing to browse an image in a device(memory card, 21, column 5, lines 31-55, column 8, line 63 through column 9, line 4) connected to the apparatus(column 4, lines 19-23), comprising:

means for determining whether the image is loaded or unloaded(An icon indicating if an image has been transferred to a PC, or transferred to a telephone line is output, see 51 and 52, figure 6, column 8, line 8-62.); and

means for controlling an output of information showing the image has been loaded, in case it is determined that the image is loaded(An icon indicating if an image has been transferred to a PC, or transferred to a telephone line is output, see 51 and 52, figure 6, column 8, line 8-62.).

Consider claim 50, and as applied to claim 49 above, Kawamura et al. further teach that the means for controlling further includes means for outputting together both the image and an icon showing the image has been loaded(See figure 6).

Consider claim 51, Kawamura et al. teach:

A method for image processing to browse an image in a device(column 5, lines 31-55, column 8, line 63 through column 9, line 4), the method comprising the steps of:

determining whether an image is loaded or unloaded(An icon indicating if an image has been transferred to a PC, or transferred to a telephone line is output, see 51 and 52, figure 6, column 8, line 8-62.); and

controlling an output of information showing that the image has been loaded, in case it is determined that the image is loaded(An icon indicating if an image has been transferred to a PC, or transferred to a telephone line is output, see 51 and 52, figure 6, column 8, line 8-62.).

Consider claim 53, Kawamura et al. teach:

A computer-readable memory medium storing a computer-executable program, executable by a computer to browse an image in a device connectable to the computer(Control information(i.e. programs) are stored in memory(24), column 4, lines 25-33. Images stored in a memory(21, i.e. a device) connected to a camera are browsed, column 5, line 32 through column 6, line 3.), the computer-executable program comprising the steps of:

determining whether an image is loaded or unloaded(An icon indicating if an image has been transferred to a PC, or transferred to a telephone line is output, see 51 and 52, figure 6, column 8, line 8-62.); and

controlling an output of an information showing the image has been loaded, in case it is determined that the image is loaded(An icon indicating if an image has been transferred to a PC, or transferred to a telephone line is output, see 51 and 52, figure 6, column 8, line 8-62.).

***Claim Rejections - 35 USC § 103***

11. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

12. Claims 11-14, and 26-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al.(US 6,522,354) in view of Bullock et al.(US 5,943,050), further in view of Schelling et al.(US 5,706,097).

Consider claim 11, Kawamura et al. teach:

A computer-readable memory medium storing computer-executable process steps executable by a computer(15, figure 2) in a digital camera(11) to provide a digital camera toolbox(Control information(i.e. programs) are stored in memory(24), column 4, lines 25-33), wherein the computer(15) is part of the digital camera(see figure 2), and interface(16) to which a printer is connectable(see column 6, lines 32-38), and an interface to an Internet service provider(26, figure 2), process steps comprising:

a displaying step to display a toolbox window, the toolbox window having at least two distinct and selectable buttons(See figure 5, column 5, lines 19-25. A "selection screen"(i.e. toolbox window is displayed) on LCD(19), figures 2 and 3.), the toolbox window including a downloading button("Transfer to PC", figure 4), a viewing button(Either button is used for viewing, as thumbnails are displayed upon the selection of either button, column 5, lines 25-55, figure 6.), a printing button(The "Transfer to PC" button is used to transfer images to a receiving device, which receiving device can be a

printer, column 6, lines 36-37.), and an uploading button(The "telephone line" button uploads images via a modem, column 5, line 56 through column 6, line 3.);

a viewing step to view all thumbnail image files stored in the digital camera in a case the viewing button is selected(Either button is used for viewing, as thumbnails are displayed upon the selection of either button, column 5, lines 25-55, figure 6.);

a downloading step to download all full-resolution image files stored in the camera from the digital camera via the interface thereto in a case the downloading button is selected(The "Transfer to PC" button is used to transfer images(i.e. download images) to a receiving device, column 6, lines 28-44. All images can be downloaded via the download button, as a subsequent screen enables the user to choose how many images to transfer, column 5, lines 20-55.);

a printing step to send a print job to the printer via the interface thereto(Images can be sent to a printer via the "Transfer to PC" button, column 6, lines 36-37.); and

an uploading step to upload all full-resolution image files stored in the digital camera to the Internet service provider via the interface thereto in a case the uploading button is selected(The "telephone line" button uploads images to another computer, a telephone line, a mail server of PC communications, or networks such as the Internet via a modem, column 5, line 56 through column 6, line 3, column 9, lines 29-32. All images can be uploaded via the upload button, as a subsequent screen enables the user to choose how many images to transfer).

However, Kawamura et al. do not explicitly teach a settings button to control settings of a digital camera when selected. Kawamura et al. teach that the digital

camera(11) can be connected to an external computer(17) via an interface(16, figure 2). However, Kawamura et al. do not explicitly teach that the external computer provides the digital camera toolbox outlined above.

Bullock et al. are similar to Kawamura et al. in that Bullock et al. teach of a camera(118, figure 1) which transmits images to a PC(100, figure 1). Bullock et al. are further similar in that a digital camera toolbox is used (175, figure 4, column 4, line 55 through column 5, line 65).

However, in addition to the teachings of Kawamura et al., Bullock et al. teach that the digital camera toolbox(175, figure 4) contains a settings button(179) to control settings of a digital camera via an interface(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60) when selected(column 5, lines 19-22, lines 33-36). Bullock et al. also teach of displaying at least five distinct and selectable buttons(see figure 4).

Bullock et al. also teach that an external computer (100, figure 1) provides the digital camera toolbox (figures 4-21, column 3, lines 49-60).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to include at least five distinct and selectable buttons including a settings button as taught by Bullock et al. in the digital camera toolbox taught by Kawamura et al. for the benefit of allowing a variety of users, novice to expert to easily control an image capture session of a digital image capture device by capturing images, evaluating images, and adjusting the camera settings to their liking in order to obtain the most desirable images(Bullock et al., column 2, lines 6-10). It also would have been obvious to a person having ordinary skill in the art at the time of the invention

to implement the toolbox taught by Kawamura et al. on an external computer with a display as taught by Bullock et al. because it is beneficial to use a computer display as the camera display in that that a user has the entire larger display area at their disposal, and versatility of the working environment is improved because the large area of the display allows other objects not necessarily related to the capture device picture selection operations to be displayed as well(See Bullock et al., column 4, line 55 through column 5, line 10).

However, the combination of Kawamura et al. and Bullock et al. does not explicitly teach that the print button is used to print a contact sheet of selected thumbnail image files stored in the camera when selected.

Schelling et al. are similar in that Schelling et al. teach of transferring images between a camera(44, figure 3) and computer(53). Schelling et al. also similarly teach of sending images to a printer(column 3, line 52 through column 4, line 7).

In addition to the combined teachings of Kawamura et al., and Bullock et al., Schelling et al. teach that a contact sheet("index print") of selected thumbnail image files originally stored in the digital camera is printed(column 2, lines 43-48, column 3, lines 37-39, column 3, line 53 through column 4, line 8, figures 1, 3, 4, and 5.).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to have the print button taught by the combination of Kawamura et al. and Bullock et al. print a contact sheet of selected thumbnail images as taught by Schelling et al. for the benefit of aiding a user in determining what is contained

on an image recording medium, and easily locating specific files within the medium for access (Schelling et al., column 1, lines 50-55).

Consider claim 12, and as applied to claim 11 above, Kawamura et al. further teach that the controlling step includes a step to control download and upload parameters(Kawamura et al. teach that a user can choose which images, and how many to download or upload(i.e. control download and upload parameters), column 5, lines 26-55.).

Consider claim 13, and as applied to claim 11 above, Kawamura et al. teach that the downloading step can involve transmitting images to a printer(see claim 11 rationale). However, the combination of Kawamura et al. and Bullock et al. do not explicitly teach that the downloading step comprises a downloading step to download all thumbnail image files stored in the camera.

Schelling et al. teach of sending all thumbnail image files to a printer in order to produce an index print(column 2, lines 43-48, column 3, lines 37-39, column 3, line 53 through column 4, line 8, figures 1, 3, 4, and 5.).

Therefore, because Kawamura et al. teach that the download step can involve downloading to a printer, and Schelling teaches that all thumbnail images are sent to a printer, the combination of Kawamura et al., Bullock et al., and Schelling teaches that the downloading step comprises a downloading step to download all thumbnail image files stored in the camera.



Consider claim 14, and as applied to claim 11 above, Kawamura et al. teach that the downloading step comprises a downloading step to download all sound files stored in the camera(column 9, line 66 through column 10, line 10).

Consider claim 26, Kawamura et al. teach:

A method to provide a digital camera toolbox(figures 4-21) on a computer(15, column 5, line 19 through column 10, line 7), wherein the computer(15) is part of the digital camera(11, figure 2), and interface(16) to which a printer is connectable(see column 6, lines 32-38), and an interface to an Internet service provider(26, figure 2), wherein said method comprises, the process steps comprising:

displaying a toolbox window, the toolbox window having at least two distinct and selectable buttons(See figure 5, column 5, lines 19-25. A "selection screen"(i.e. toolbox window is displayed) on LCD(19), figures 2 and 3.), including a downloading button("Transfer to PC", figure 4), a viewing button(Either button is used for viewing, as thumbnails are displayed upon the selection of either button, column 5, lines 25-55, figure 6.), a printing button(The "Transfer to PC" button is used to transfer images to a receiving device, which receiving device can be a printer, column 6, lines 36-37.), and an uploading button(The "telephone line" button uploads images via a modem, column 5, line 56 through column 6, line 3.);

viewing all thumbnail image files stored in the digital camera in a case the viewing button is selected(Either button is used for viewing, as thumbnails are displayed upon the selection of either button, column 5, lines 25-55, figure 6.);

downloading all full-resolution image files stored in the digital camera from the digital camera via an interface thereto(16) in a case the downloading button is selected(The "Transfer to PC" button is used to transfer images(i.e. download images) to a receiving device, column 6, lines 28-44. All images can be downloaded via the download button, as a subsequent screen enables the user to choose how many images to transfer, column 5, lines 20-55.);

a downloading step to download all full-resolution image files stored in the camera in a case the downloading button is selected(The "Transfer to PC" button is used to transfer images(i.e. download images) to a receiving device, column 6, lines 28-44. All images can be downloaded via the download button, as a subsequent screen enables the user to choose how many images to transfer, column 5, lines 20-55.);

sending a print job to the printer via the interface thereto so as to print in a case the printing button is selected(Images can be sent to a printer via the "Transfer to PC" button, column 6, lines 36-37.); and

uploading all full-resolution image files stored in the digital camera to the Internet service provider via the interface thereto in a case the uploading button is selected(The "telephone line" button uploads images to another computer, a telephone line, a mail server of PC communications, or networks such as the Internet via a modem, column 5, line 56 through column 6, line 3, column 9, lines 29-32. All images can be uploaded via

the upload button, as a subsequent screen enables the user to choose how many images to transfer).

However, Kawamura et al. do not explicitly teach a settings button to control settings of a digital camera when selected. Kawamura et al. teach that the digital camera(11) can be connected to an external computer(17) via an interface(16, figure 2). However, Kawamura et al. do not explicitly teach that the external computer provides the digital camera toolbox outlined above.

Bullock et al. are similar to Kawamura et al. in that Bullock et al. teach of a camera(118, figure 1) which transmits images to a PC(100, figure 1). Bullock et al. are further similar in that a digital camera toolbox is used(175, figure 4, column 4, line 55 through column 5, line 65).

However, in addition to the teachings of Kawamura et al., Bullock et al. teach that the digital camera toolbox(175, figure 4) contains a settings button(179) to control settings of a digital camera via an interface(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60) thereto when selected(column 5, lines 19-22, lines 33-36). Bullock et al. also teach of displaying at least five distinct and selectable buttons (see figure 4).

Bullock et al. also teach that an external computer (100, figure 1) provides the digital camera toolbox(figures 4-21, column 3, lines 49-60).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to include a settings button as taught by Bullock et al. in the digital camera toolbox taught by Kawamura et al. for the benefit of allowing a variety of users, novice to expert to easily control an image capture session of a digital image

capture device by capturing images, evaluating images, and adjusting the camera settings to their liking in order to obtain the most desirable images(Bullock et al., column 2, lines 6-10). It also would have been obvious to a person having ordinary skill in the art at the time of the invention to implement the toolbox taught by Kawamura et al. on an external computer with a display as taught by Bullock et al. because it is beneficial to use a computer display as the camera display in that that a user has the entire larger display area at their disposal, and versatility of the working environment is improved because the large area of the display allows other objects not necessarily related to the capture device picture selection operations to be displayed as well(See Bullock et al., column 4, line 55 through column 5, line 10).

However, the combination of Kawamura et al. and Bullock et al. does not explicitly teach that the print button is used to print a contact sheet of selected thumbnail image files stored in the camera when selected.

Schelling et al. are similar in that Schelling et al. teach of transferring images between a camera(44, figure 3) and computer(53). Schelling et al. also similarly teach of sending images to a printer(column 3, line 52 through column 4, line 7).

In addition to the combined teachings of Kawamura et al., and Bullock et al., Schelling et al. teach that a contact sheet("index print") of selected thumbnail image files originally stored in the camera is printed(column 2, lines 43-48, column 3, lines 37-39, column 3, line 53 through column 4, line 8, figures 1, 3, 4, and 5.).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to have the print button taught by the combination of

Kawamura et al. and Bullock et al. print a contact sheet of selected thumbnail images as taught by Schelling et al. for the benefit of aiding a user in determining what is contained on an image recording medium, and easily locating specific files within the medium for access (Schelling et al., column 1, lines 50-55).

Consider claim 27, and as applied to claim 26 above, Kawamura et al. further teach that the controlling step includes a step to control download and upload parameters(Kawamura et al. teach that a user can choose which images, and how many to download or upload(i.e. control download and upload parameters), column 5, lines 26-55.).

Consider claim 28, and as applied to claim 26 above, Kawamura et al. teach that the downloading step can involve transmitting images to a printer(see claim 11 rationale). However, the combination of Kawamura et al. and Bullock et al. do not explicitly teach that the downloading step comprises a downloading step to download all thumbnail image files stored in the camera.

Schelling et al. teach of sending all thumbnail image files to a printer in order to produce an index print(column 2, lines 43-48, column 3, lines 37-39, column 3, line 53 through column 4, line 8, figures 1, 3, 4, and 5.).

Therefore, because Kawamura et al. teach that the download step can involve downloading to a printer, and Schelling teaches that all thumbnail images are sent to a printer, the combination of Kawamura et al., Bullock et al., and Schelling teaches that

the downloading step comprises a downloading step to download all thumbnail image files stored in the camera.

Consider claim 29, and as applied to claim 26 above, Kawamura et al. teach that the downloading step comprises a downloading step to download all sound files stored in the camera(column 9, line 66 through column 10, line 10).

Consider claim 30, Kawamura et al. teach:

An apparatus (figure 2) comprising:

An interface (16) to which a digital camera (11) is connectable(see figure 2);

An interface (16) to which a printer is connectable(see column 6, lines 32-38);

An interface to an Internet service provider (26, figure 2);

a program memory for storing executable process steps(Control information(i.e. programs) are stored in memory(24), column 4, lines 25-33); and

a processor(15, figure 2) for executing the process steps stored in said program memory(column 4, line 8 through column 7, line 67).

Wherein the executable process steps comprise:

a displaying step to display a toolbox window, the toolbox window having at least two distinct and selectable buttons(See figure 5, column 5, lines 19-25. A "selection screen"(i.e. toolbox window is displayed) on LCD(19), figures 2 and 3.), the toolbox window including a downloading button("Transfer to PC", figure 4), a viewing button(Either button is used for viewing, as thumbnails are displayed upon the selection

of either button, column 5, lines 25-55, figure 6.), a printing button(The "Transfer to PC" button is used to transfer images to a receiving device, which receiving device can be a printer, column 6, lines 36-37.), and an uploading button(The "telephone line" button uploads images via a modem, column 5, line 56 through column 6, line 3.);

a viewing step to view all thumbnail image files stored in the digital camera in a case the viewing button is selected(Either button is used for viewing, as thumbnails are displayed upon the selection of either button, column 5, lines 25-55, figure 6.);

a downloading step to download all full-resolution image files stored in the camera from the digital camera via the interface thereto in a case the downloading button is selected(The "Transfer to PC" button is used to transfer images(i.e. download images) to a receiving device, column 6, lines 28-44. All images can be downloaded via the download button, as a subsequent screen enables the user to choose how many images to transfer, column 5, lines 20-55.);

a printing step to send a print job to the printer via the interface thereto(Images can be sent to a printer via the "Transfer to PC" button, column 6, lines 36-37.); and

an uploading step to upload all full-resolution image files stored in the digital camera to the Internet service provider via the interface thereto in a case the uploading button is selected(The "telephone line" button uploads images to another computer, a telephone line, a mail server of PC communications, or networks such as the Internet via a modem, column 5, line 56 through column 6, line 3, column 9, lines 29-32. All images can be uploaded via the upload button, as a subsequent screen enables the user to choose how many images to transfer).

However, Kawamura et al. do not explicitly teach a settings button to control settings of a digital camera when selected. Kawamura et al. teach that the digital camera(11) can be connected to an external computer(17) via an interface(16, figure 2). However, Kawamura et al. do not explicitly teach that the external computer provides the digital camera toolbox outlined above.

Bullock et al. are similar to Kawamura et al. in that Bullock et al. teach of a camera(118, figure 1) which transmits images to a PC(100, figure 1). Bullock et al. are further similar in that a digital camera toolbox is used(175, figure 4, column 4, line 55 through column 5, line 65).

However, in addition to the teachings of Kawamura et al., Bullock et al. teach that the digital camera toolbox(175, figure 4) contains a settings button(179) to control settings of a digital camera via an interface(117, figure 1, 132 and 133, figure 2, column 3, lines 40-60) when selected(column 5, lines 19-22, lines 33-36). Bullock et al. also teach of displaying at least five distinct and selectable buttons(see figure 4).

Bullock et al. also teach that an external computer(100, figure 1) provides the digital camera toolbox(figures 4-21, column 3, lines 49-60).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to include at least five distinct and selectable buttons including a settings button as taught by Bullock et al. in the digital camera toolbox taught by Kawamura et al. for the benefit of allowing a variety of users, novice to expert to easily control an image capture session of a digital image capture device by capturing images, evaluating images, and adjusting the camera settings to their liking in order to



obtain the most desirable images(Bullock et al., column 2, lines 6-10). It also would have been obvious to a person having ordinary skill in the art at the time of the invention to implement the toolbox taught by Kawamura et al. on an external computer with a display as taught by Bullock et al. because it is beneficial to use a computer display as the camera display in that that a user has the entire larger display area at their disposal, and versatility of the working environment is improved because the large area of the display allows other objects not necessarily related to the capture device picture selection operations to be displayed as well(See Bullock et al., column 4, line 55 through column 5, line 10).

However, the combination of Kawamura et al. and Bullock et al. does not explicitly teach that the print button is used to print a contact sheet of selected thumbnail image files stored in the camera when selected.

Schelling et al. are similar in that Schelling et al. teach of transferring images between a camera(44, figure 3) and computer(53). Schelling et al. also similarly teach of sending images to a printer(column 3, line 52 through column 4, line 7).

In addition to the combined teachings of Kawamura et al., and Bullock et al., Schelling et al. teach that a contact sheet("index print") of selected thumbnail image files originally stored in the digital camera is printed(column 2, lines 43-48, column 3, lines 37-39, column 3, line 53 through column 4, line 8, figures 1, 3, 4, and 5.).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to have the print button taught by the combination of Kawamura et al. and Bullock et al. print a contact sheet of selected thumbnail images as

taught by Schelling et al. for the benefit of aiding a user in determining what is contained on an image recording medium, and easily locating specific files within the medium for access(Schelling et al., column 1, lines 50-55).

Consider claim 31, and as applied to claim 30 above, Kawamura et al. further teach the step to control includes process steps to control the download and upload parameters(Kawamura et al. teach that a user can choose which images, and how many to download or upload(i.e. control download and upload parameters), column 5, lines 26-55.).

Consider claim 32, and as applied to claim 30 above, Kawamura et al. teach that the downloading step can involve transmitting images to a printer(see claim 11 rationale). However, the combination of Kawamura et al. and Bullock et al. do not explicitly teach that the downloading step comprises a downloading step to download all thumbnail image files stored in the camera.

Schelling et al. teach of sending all thumbnail image files to a printer in order to produce an index print(column 2, lines 43-48, column 3, lines 37-39, column 3, line 53 through column 4, line 8, figures 1, 3, 4, and 5.).

Therefore, because Kawamura et al. teach that the download step can involve downloading to a printer, and Schelling teaches that all thumbnail images are sent to a printer, the combination of Kawamura et al., Bullock et al., and Schelling teaches that

the downloading step comprises a downloading step to download all thumbnail image files stored in the camera.

Consider claim 33, and as applied to claim 30 above, Kawamura et al. teach the step to download all sound files stored in the camera(column 9, line 66 through column 10, line 10).

### ***Conclusion***

13. Any objections made to the claims by the Examiner are hereby removed in view of Applicant's response.

14. Any rejections of claims by the Examiner under 35 U.S.C. 101 are hereby removed in view of Applicant's response.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALBERT H. CUTLER whose telephone number is (571)270-1460. The examiner can normally be reached on Mon-Thu (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan V Ho can be reached on (571)-272-7365. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

/Tuan V Ho/

Primary Examiner, Art Unit 2622